

DOCKET NO. 9558-003-27

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:	Toshiki TAYA, et al.	ART UNIT:	1634
SERIAL NO.:	09/865,579	EXAMINER:	J. Switzer
CONFIRMATION NO.:	3666		
FILING DATE:	May 29, 2001		
FOR:	OLIGONUCLEOTIDES AND METHOD FOR DETECTION OF MECA GENE OF METHICILLIAN-RESISTANT STAPHYLOCOCCUS AUREUS		

**REQUEST FOR CREDIT TO DEPOSIT ACCOUNT**

COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

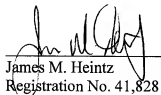
SIR:

We are requesting a review of the \$1,440.00 Issue Fee (Fee Code 1501) that was charged to Deposit Account No. 50-1442, for the above referenced patent application. The Issue Fee was initially paid on March 24, 2005, in the amount of \$1,700.00 (\$1,400 Issue Fee and \$300 Publication Fee - pertinent filing papers attached including the date-stamped filing receipt evidencing same). Additionally, per the Examiner's request, we indicated that the previously applied Issue and Publication fees be applied to the current fees due on the current Issue Fee transmittal form (PTOL-85). Due to the increase in the amount of Government Fees effective October 1, 2007, we authorized the Deposit Account to be debited the additional \$40.00; however, the account was debited the entire \$1,440.00.

Therefore, since the Issue Fee was previously paid, we are respectfully requesting a refund in the amount of \$1,400.00 to Deposit Account No. 50-1442.

Respectfully submitted,

DLA PIPER US LLP



James M. Heintz  
Registration No. 41,828

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Washington, D.C. 20004  
Telephone No. 202.799.4000  
Facsimile No. 202.799.5000

## PATENT/DC

Docket No.: 9558-003-27 By: SBK/PW/kagClient/Matter #: 303892-3Serial No.: 09/865,579In the Matter of the Application of: Toshiki TAYA, et al.For: OLIGONUCLEOTIDES AND METHOD FOR DETECTION OF MECA GENE OF METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREUS

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ \_\_\_\_\_ pp. Specification & \_\_\_\_\_ Claims/Drawings \_\_\_\_\_ Sheets  
☐ Combined Declaration, Petition & Power of Atty. (\_\_\_\_ Pages/Executed)  
☐ Utility Patent Application Transmittal  
☐ Provisional Patent Application Transmittal  
☐ Request for Continued Examination (RCE)  
☐ List of Inventors' Names and Addresses  
☐ List of 10 Practitioners To Be Recognized By the Office  
☒ Fee Transmittal  
☒ Check for \$1700.00  
☐ Assignment \_\_\_\_\_ pages (executed)  
☐ Request for Priority  
☐ White Advance Serial Number Postcard  
☐ Preliminary Amendment  
☐ Letter to Official Draftsman  
☐ Drawings \_\_\_\_\_ sheets  
☒ Letter (Transmittal)  
☐ Request for Extension of Time (\_\_\_\_ month(s))  
☐ Amendment  
☐ Restriction Response  
☐ Information Disclosure Statement  
☐ List of Related Cases  
☐ Cited Documents (\_\_\_\_)  
☐ \_\_\_\_\_ Search Report  
☐ Statement of Relevancy  
☐ Notice of Appeal  
☐ Rule 132 Declaration (\_\_\_\_ Pages/Executed)  
☒ Issue Fee Transmittal  
☐ Other

☐ Dep. Acct. Order Form  
☐ PTO-1595  
☐ Priority



Rev. 01/05

DUE DATE: March 28, 2005

sbm

**DLA PIPER RUDNICK GRAY CARY U.S. LLP**

1200 NINETEENTH STREET, NW  
WASHINGTON, DC 20036-2412  
TELEPHONE: 202-861-3900  
FACSIMILE: 202-223-2085

DOCKET NO.: 9558-003-27

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 09/865,579  
Applicant(s): Toshiki TAYA, et al.  
Filing Date: May 29, 2001  
For: OLIGONUCLEOTIDES AND METHOD FOR DETECTION OF  
MECA GENE OF METHICILLIN-RESISTANT STAPHYLOCOCCUS  
AUREUS  
Group Art Unit: 1634  
Examiner: Juliette Caroline Switzer

SIR:

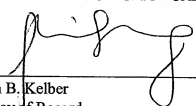
Attached hereto for filing are the following papers:

Fee Transmittal  
Issue Fee Transmittal

Our check in the amount of \$1700.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY U.S. LLP

  
\_\_\_\_\_  
Steven B. Kelber  
Attorney of Record  
Registration No.: 30,073

Ping Wang  
Registration No. 48,328

# FEE TRANSMITTAL FY 2005

Docket No.	9558-003-27
Serial No.	09/865,579
Filing Date	May 29, 2001
Inventor(s)	Toshiki TAYA, et al.
Group Art Unit	1634
Examiner	Juliette Caroline Switzer

**TOTAL AMOUNT OF PAYMENT** \$1,700.00

1. ☐ Applicant claims small entity status.

☒ Charge any **UNDERPAYMENT** or credit any **OVERPAYMENT** in the indicated fees to Deposit Account No. 50-1442.

☐ Charge the indicated fees to Deposit Account No. 50-1442.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description		Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)			
1051	130	2051	65	Surcharge-late filing fee or oath		
1053	130	1053	130	Non-English Specification		
1251	120	2251	60	1-mo. ext. of time		
1252	450	2252	225	2-mo. ext. of time		
1253	1020	2253	510	3-mo. ext. of time		
1254	1590	2254	795	4-mo. ext. of time		
1255	2160	2255	1080	5-mo. ext. of time		
1401	500	2401	250	Notice of Appeal		
1402	500	2402	250	Appeal Brief		
1403	1000	2403	500	Request for Oral		
1501	1400	2501	700	Utility/Reissue Issue		1400
1504	300	1504	300	Publication Fee		300

### FEE CALCULATION

#### 1. BASIC FILING FEE

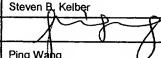
Large Entity		Small Entity		Fee Description		Fee Paid
Code	Fee \$	Code	Fee \$			
1011	300	2011	150	Utility Filing Fee		
1012	200	2012	100	Design Filing Fee		
1013	200	2013	100	Plant Filing Fee		
1014	300	2014	150	Reissue Filing Fee		
1005	200	2005	100	Provisional Filing Fee		
1111	500	2111	250	Utility Search Fees		
1311	200	2311	100	Utility Examination Fees		
<b>SUBTOTAL</b>					\$0.00	

#### 2. EXTRA CLAIM FEES

tot. claims		-	20*	=	0	x	\$50	=	0	1806	180	1806	180	IDS Submission	
ind. claims		-	3*	=	0	x	\$200	=	0	8021	40	8021	40	Assignment Recordation	
<input type="checkbox"/>	Multiple Dependent Claims						\$360	=		1801	790	2801	395	For Filing RCE	
<b>SUBTOTAL</b>					0					1814	130	2814	65	Terminal Disclaimer	

#### 3. APPLICATION SIZE FEES

Total # of Sheets		# of Extra Sheets													
	-	100	=	0											
# of each additional 50 sheets or fraction thereof (round up)															
	x	\$250	=	0											
<b>SUBTOTAL</b>															1700

Name	Steven B. Keiber	Registration No.	30,073
Signature		Date	3/24/05
Name	Ping Wang	Registration No.	48,328
		Telephone	202-861-3900

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE rEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

12/28/2004

**Supervisor, Patent Prosecution Services**  
**PIPER MARBURY RUDNICK & WOLFE LLP**  
**1200 Nineteenth Street, N.W.**  
**Washington, DC 20036-2412**

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,579	05/29/2001	Toshiki Taya	9558-003-27	3666

**TITLE OF INVENTION:** OLIGONUCLEOTIDES AND METHOD FOR DETECTION OF MECA GENE OF METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREUS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	03/28/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
SWITZER, JULIET CAROLINE	1634	435-006000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Steven B. Kelber

2. DLA Piper Rudnick

3. Gray Cary US LLP

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

**Tosoh Corporation**

**Yamaguchi-ken, Japan**

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1442 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date

Typed or printed name Ping Wang

Registration No. 48,328

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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